

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Hon. Thomas J. Tucker

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**CERTIFICATION OF NO RESPONSE OR OBJECTION REGARDING  
CITY OF DETROIT’S MOTION AGAINST EMMANUEL PALMER FOR  
(I) VIOLATION OF THE AUTOMATIC STAY, BAR DATE ORDER AND  
PLAN OF ADJUSTMENT AND (II) DISMISSAL OF HIS DISTRICT  
COURT LAWSUIT**

On March 29, 2016, the City Of Detroit (“City”) filed its Motion Against Emmanuel Palmer for (I) Violation of the Automatic Stay, Bar Date Order and Plan of Adjustment and (II) Dismissal of His District Court Lawsuit (“Motion”) [Doc. No. 10988]. The Motion was served via first class mail upon Emmanuel Palmer on the same date. *See Certificate of Service* Exhibit A.

No response or objection to the Motion was filed with the Court and the time to do so has passed. The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order* Exhibit B.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND  
STONE, P.L.C.

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- and -

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Attorneys for the City of Detroit

DATED: April 18, 2016

## **Exhibit A**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,  
Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 29, 2016 the foregoing City of Detroit's Motion Against Emmanuel Palmer for (I) Violation of the Automatic Stay, Bar Date Order and Plan of Adjustment and (II) Dismissal of His District Court Lawsuit was filed and served via the Court's electronic case filing and notice system and served upon the individual listed below via first class mail:

Emmanuel Palmer  
3888 19th Street  
Ecorse, MI 48229

DATED: March 29, 2016

By: /s/ Marc N. Swanson

Marc N. Swanson  
150 West Jefferson, Suite 2500  
Detroit, Michigan 48226  
Telephone: (313) 496-7591  
Facsimile: (313) 496-8451  
swansonm@millercanfield.com

## **Exhibit B**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,  
Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**[PROPOSED] ORDER GRANTING CITY OF DETROIT’S MOTION  
AGAINST EMMANUEL PALMER FOR (I) VIOLATION OF THE  
AUTOMATIC STAY, BAR DATE ORDER AND PLAN OF ADJUSTMENT  
AND (II) DISMISSAL OF HIS DISTRICT COURT LAWSUIT**

This matter, having come before the court on the City of Detroit’s Motion Against Emmanuel Palmer for (I) Violation of the Automatic Stay, Bar Date Order and Plan of Adjustment and (II) Dismissal of His District Court Lawsuit (“Motion”), upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

**THE COURT ORDERS THAT:**

1. The Motion is granted.
2. Within five days of the entry of this Order, Emmanuel Palmer shall dismiss, or cause to be dismissed, with prejudice the City of Detroit from Case No. 13-15164 filed in the United States District Court for the Eastern District of Michigan (“District Court Lawsuit”).
3. Emmanuel Palmer is permanently barred, estopped and enjoined from asserting any claims described in the District Court Lawsuit, or the alleged conduct

forming the basis of the District Court Lawsuit, against the City of Detroit or property of the City of Detroit, in the District Court Lawsuit or in any other action or proceeding.

4. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.